

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 22**  
**NOVEMBER 17, 2016**

The Legislature was called to order by Chair Mills.

All members present, except Mr. Savage.

An Invocation was held, led by Ms. Dixon, who led a short prayer.

The Pledge of Allegiance was led by Ms. Grant.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 21 from 2016. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. BURKE presented a resolution Honoring Thomas and Mary Ellen McCarthy on 60 Years of Marriage.

Item 6 – MR. LOUGHRAN presented a resolution Honoring Joseph Battaglia Upon the Occasion of his Retirement Following More Than 30 Years of Service in Erie County Government.

Item 7 – MR. LORIGO presented a resolution Honoring Jim Manley as the Erie County Legislature's Citizen of the Month for October 2016.

Item 8 – MS. MILLER-WILLIAMS presented a resolution Celebrating Spirited Athletes Bold at Heart's (SABAH) 40th Anniversary.

MR. LORIGO moved for consideration of the above four items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above four to include one miscellaneous resolution from MS. DIXON and to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above five items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 9 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 10 – CHAIR MILLS directed that Local Law No. 4 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 11 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 13 (Print #1) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2016 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 15 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 19 – CHAIR MILLS directed that Local Law No. 16 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

Item 23 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 267

November 10, 2016	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 17
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GRANT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

- a. COMM. 20E-16 (2016)  
**COUNTY EXECUTIVE:** “Crisis Services Addictions Hotline Report”  
(5-0)
  
  - b. COMM. 20D-7 (2016)  
**MEDICAID INSPECTOR GENERAL:** “Follow-up Information Regarding Completed Audits of Medicaid Vendors and Statistics”  
(5-0)
2. COMM. 21E-18 (2016)  
**COUNTY EXECUTIVE**  
WHEREAS, the Department was awarded \$117,000 earlier this year in 100% State share funds to continue and enhance a program entitled Safe Harbor for Sexually Exploited Children; and
- WHEREAS, the Department has been awarded an additional \$8,000; and
- WHEREAS, the Department has an existing contract with International Institute to administer this program; and

WHEREAS, there is no local share fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York to accept funding for the Safe Harbor for Sexually Exploited Children program; and be it further

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to increase the subcontract with the International Institute by \$8,000; and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2016 Adopted Budget:

Department of Social Services, Fund 110, Department 120

ACCOUNT	DESCRIPTION	INCREASE
517172	International Institute	<u>\$8,000</u>
	Total Expenditures	<u>\$8,000</u>
409000	State Aid	<u>\$8,000</u>
	Total Revenues	<u>\$8,000</u>

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.  
(5-0)

3. **COMM. 21E-19 (2016)**  
**COUNTY EXECUTIVE**

WHEREAS, the Youth Services Division has been awarded an AmeriCorps VISTA member by the Service Collaborative of WNY. The VISTA member will develop systems and collaborative networks to improve the ability and capacity of funded youth-serving agencies to collect both individual and county-wide aggregate data on youth being served and their successful outcomes.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract in the not to exceed amount of \$8,000 with the Service Collaborative of WNY to accept the AmeriCorps Vista member, funding being available in account 516020, professional services, of the Youth Services Division; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller, and the Department of Social Services, and the Division of Youth Services.  
(5-0)

4. **COMM. 21E-20 (2016)**  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Youth Bureau has an unallocated funding balance in the amount of \$15,000 and would like to increase funding for three existing agencies to provide additional youth programming.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to amend existing contracts in the amount of \$5,000 for each agency in order to provide additional youth programs and services through the NYS Office of Children and Family for HEAL International, Tru-Way Community Center, and Community Action Organization of Erie County, and be it further

RESOLVED, that total funding in the amount of \$15,000 is currently available in Account 517876, Youth Development Programs, of the Youth Services Division; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Social Services, and the Division of Youth Services.  
(5-0)

5. **COMM. 21E-21 (2016)**  
**COUNTY EXECUTIVE**

WHEREAS, New York State Public Health Law Article VI encourage local health departments to seek reimbursement for services rendered to individuals with health insurance; and

WHEREAS, WellCare of New York, Inc. is a health care insurance provider which focuses exclusively on providing government-sponsored managed care services, primarily through Medicaid, Medicare Advantage and Medicare Prescription Drug Plans, to families, children, seniors and individuals; and

WHEREAS, by entering into a contract with WellCare of New York, Inc., the Erie County Department of Health will be able to bill for services rendered to individuals with WellCare of New York, Inc. health insurance coverage; and

WHEREAS, the purpose of this resolution is to authorize the County Executive to enter into a contract with WellCare of New York, Inc. beginning March 1, 2016 .

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amendments to that contract with WellCare of New York, Inc. beginning March 1, 2016; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9<sup>th</sup> Floor, Rath Building.  
(5-0)

LYNNE M. DIXON  
CHAIR

Item 24 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 268

November 10, 2016	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 2M-13 (2016)  
**DANIEL MCMAHON:** “Letter to Legislator Hardwick Regarding Veterans Hospital Parking Lot”  
(Chair’s Motion)
  - b. COMM. 19D-9 (2016)

**COUNTY ATTORNEY:** “Transmittal of New Claims Against Erie County”  
(Chair’s Motion)

c. COMM. 19M-5 (2016)  
**NYS ASSOCIATION OF COUNTIES:** “Transmittal of Resolutions Adopted at 2016 Annual Meeting”  
(Chair’s Motion)

d. COMM. 20E-14 (2016)  
**MORTON:** “Letter to Chair of the Legislature Regarding Proposal for Evening Public Hearings”  
(Chair’s Motion)

e. COMM. 20D-5 (2016)  
**COUNTY ATTORNEY:** “Transmittal of New Claims Against Erie County”  
(Chair’s Motion)

2. INTRO. 21-1 (2016)  
**MORTON, LORIGO & BURKE**

WHEREAS, there are more than 120,000 Americans waiting for organ transplants and each year the weight grows longer with less than one in seven patients able to find a willing and compatible donor; and

WHEREAS, in New York State and across the nation living organ donation rates have dropped in recent years leaving many in need of organ transplant waiting even longer; and

WHEREAS, several problems have been identified and need to be addressed in order to help increase the rate of organ donation including removing financial barriers to donation, and providing lifetime follow-up care to donors; and

WHEREAS, it has been determined that more long-term data on live donor outcomes is required to further mitigate risks to the donor’s health and to help better educate the patients, their families, and the public about living donation; and

WHEREAS, the attached report has offered many possible avenues to alleviate the barriers to living organ donation including providing tax deductions for lost wages and child care costs for donors, provision of insurance for donors for at least a year after the procedure, and allowing Medicaid to cover paired kidney donation for paired exchanges based off of a national database as opposed to requiring in-state pairing; and

WHEREAS, easing the route to living organ transplant will help reduce the immediate and long-term costs associated with organ donation and can help increase the rate of donation by as much as twenty five percent (25%) thereby saving lives across our state; and

WHEREAS, the report cites costs of less than \$6,000 per donor per year which amounts to a budgetary impact of \$3.6 million across the entire State of New York; and

WHEREAS, associated research further indicates a cost savings of \$18 million accruing to the state through the elimination of expenses for the care for the donation recipient prior to transplant, as recurring treatments like kidney dialysis are no longer necessary, and the transplant recipients are able to return to work.

NOW, THEREFORE, BE IT

RESOVLED, that this honorable body action by New York State to independently examine the fiscal and practical implications of implementing the policies in the attached report and to work together to ease the process of organ donation; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation to the New York State Senate and Assembly, the office of the Governor of the State of New York, Hon. Andrew M. Cuomo, the majority and minority leaders of both the New York State Senate and Assembly and any other party deemed necessary and proper.  
(6-0)

KEVIN R. HARDWICK  
CHAIR

Item 25 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 269

November 10, 2016	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 17
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 17E-37 (2016)  
**COUNTY EXECUTIVE:** “Department of Mental Health - Request for Job Grade 15 for Director of Fiscal Administration”  
(Chair’s Motion)
  - b. COMM. 21E-17 (2016)  
**COMPTROLLER:** “Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Jun., Jul. and Aug. 2016”  
(Chair’s Motion)
  - c. COMM. 21E-22 (2016)  
**COMPTROLLER:** “Interim Financial Report for Six-Month Period Ended Sept. 30, 2016”  
(Chair’s Motion)

2. **COMM. 21E-12 (2016)**  
**COUNTY EXECUTIVE**

WHEREAS, pursuant to Section 7-6.0 of the Erie County Tax Act, as well as specific direction of resolutions adopted by the Erie County Legislature in each of the past fifty -five (56) years, the County of Erie, each November, bids for and purchases every available Tax Certificate upon real estate for which current year real property taxes then remain unpaid; and

WHEREAS, the collection of delinquent real property taxes under this procedure has been satisfactory, potentially leading, absent redemption, to the commencement of an *in rem* tax foreclosure action against the affected properties by the County; and

WHEREAS, it is recommended that your Honorable Body direct the Director of Real Property Tax Services to bid and purchase for the County of Erie, its bid being preferred over all other offers, every 2016 Tax Certificate upon real estate for which current year real property taxes remain unpaid as of November 25, 2016, the scheduled tax sale date for 2016 Tax Certificates.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article VII of the Erie County Tax Act, the Director of Real Property Tax Services be, and hereby is, authorized to bid for and purchase, on behalf of the County of Erie, all Tax Certificates upon real estate in Erie County for which 2016 real property taxes have not been paid; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Joseph L. Maciejewski, Director of Real Property Tax Services, the Director of Budget and Management, the County Comptroller and County Attorney.  
(6-0)

JOSEPH C. LORIGO  
CHAIR

Item 26 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 270

November 10, 2016	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 17
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. **COMM. 21E-9 (2016)**  
**COUNTY EXECUTIVE** **AS AMENDED**

WHEREAS, pursuant to Legislative Comm. 5E-17 (2015) Contract No. 47G was awarded to STC Construction, Inc. for general/mechanical construction work for the Elma Pumping Station (P.S.) Improvement project located in Erie County Sewer District No. 3; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 47G, in the final contract amount of \$329,846.30.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 47G between the County of Erie and STC Construction, Inc. (PO Box 459, Springville, NY 14141) is accepted in the final contract amount of \$329,846.30 which includes Change Order No. 1 (final), a decrease of \$6,633.70, and is allocated in Erie County Sewer District No. 3 Capital Account C.15301; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 47G to STC Construction, Inc. for a total contract amount of \$329,846.30; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.  
(6-0)

2. COMM. 21E-10 (2016)

**COUNTY EXECUTIVE**

WHEREAS, Erie County Sewer District No. 6 is in the process of closing out a New York State Environmental Facilities Corporation capital project; and

WHEREAS, Erie County Sewer District No. 6 has monies in its capital reserve account to facilitate final accounting and capital project close out; and

WHEREAS, the use of said capital reserve funds will have no impact on the approved 2016 Budget.

NOW, THEREFORE BE IT

RESOLVED, that \$255,000.00 be transferred from Erie County Sewer District No. 6 capital reserve account C.00006 to Erie County Sewer District No. 6 bond account C.00064; and be it further

RESOLVED, the Erie County Comptroller and Director of Budget increase appropriations in Erie County Sewer District No. 6 capital reserve account C.00006 by \$255,000.00 and increase estimated revenues and appropriations in Erie County Sewer District No. 6 bond account C.00064 by \$255,000.00; and be it further

RESOLVED, that \$375,000.00 be transferred from Erie County Sewer District No. 6 bond account C.00064 to the Erie County Sewer District No. 6 debt service fund upon availability of sufficient funds; and be it further

RESOLVED, the Erie County Comptroller and Director of Budget and Management be authorized to establish all budgeting accounts necessary to facilitate these transfers; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management, and Kristen Walder Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management.  
(6-0)

TED B. MORTON  
CHAIR

Item 27 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 271

November 10, 2016	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 18
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 19M-4 (2016)  
**SUPERVISOR, TOWN OF EDEN:** “Letter to County Executive Regarding County-Town Snow Plowing Contract”  
(Chair’s Motion)

2. COMM. 20E-5 (2016)  
**COUNTY EXECUTIVE**  
WHEREAS, the New York State Department of Transportation provided Erie County a Locally Administered Federal Aid (LAFA) Agreement for the Bridge Steel & Deck Repairs (6 Bridges), Various Towns, Erie County PIN 5761.33 (the “Project”) in the amount of \$1,190,000 to cover the costs associated with steel and deck repairs, localized painting, construction inspection and administration and an appropriate contingency for six (6) County Bridges; and

WHEREAS the Legislature approved accepted and approved this agreement via Comm. 14E-11(2016); and

WHEREAS, public bids were opened on August 4, 2016 for the Project, and the Department of Public Works recommends award of construction to lowest responsible bidder L.C. Whitford Co., Inc. in the amount of \$1,289,300, amending CHA Companies' design agreement for the construction inspection and engineering services in the amount of \$100,000, and establishing a Project contingency of \$128,000; and

WHEREAS, the total cost of the Project, in the amount of \$1,517,300, exceeds the Locally Administered Federal Aid agreement with NYSDOT of \$1,190,000 authorized in B.14011, 2014 Bridge Preservation Construction Program by \$327,300; and

WHEREAS, DPW is requesting authorization to supplement the Project budget with funds available in SAP Account B.15011, 2015 Preservation of Bridges, Construction Program, Fund Center 123, Fund 420.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body authorizes Project funds, SAP Account B.15011, 2015 Preserve Bridge Construction Fund Center 123, Fund 240, in the amount of \$327,300 be made available for the Project; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute construction contract with low bidder L.C. Whitford Co. Inc., execute construction phase amendment with project engineers CHA Companies, Inc., and establish a Project contingency for any required Change Orders to the project in the amount not to exceed \$1,517,300, \$1,190,000 from B.14011, 2014 Bridge Preservation Construction Program and \$327,300 from B.15011, 2015 Preservation of Bridges, Construction Program ; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Commissioner of Public Works, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.  
(6-0)

3. COMM. 20E-6 (2016)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Transportation provided Erie County a Locally Administered Federal Aid (LAFA) Agreement for the Bridge Deck Sealing (20 Bridges), Various Towns, Erie County PIN 5761.32 (the "Project") the bridge maintenance project which involves deck sealing, crack sealing, joint and deck repairs, construction inspection and administration for twenty (20) County Bridges; and

WHEREAS, public bids were opened on June 30, 2016 for the Project, and the contract was awarded to Hunting Valley Construction, Inc., and CHA Consultants' agreement for the construction inspection and engineering services; and

WHEREAS, the total cost and award of the Project, was authorized in COMM 12E-10 (2016) and funded through SAP account B.14011, 2014 Bridge Preservation Construction; and

WHEREAS, DPW is requesting authorization to supplement the Project budget with \$40,000 from funds available in SAP Account B.15011, 2015 Preservation of Bridges, Construction Program, Fund Center 123, Fund 420; and

WHEREAS, these additional monies are being used to repair unforeseen deficiencies discovered during the execution of the construction (i.e., additional quantity for crack sealing in the deck, joint repairs and partial depth concrete deck repairs).

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable body authorizes Project funds, SAP Account B.15011, 2015 Preserve Bridge Construction Fund Center 123, Fund 420, in the amount of \$40,000 be made available for the Project contingency; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to increase the contingency for the project in SAP Account B.15011, 2015 Bridge Preservation Construction Program; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of Budget and Management, and the Office of the Comptroller.  
(6-0)

4. **COMM. 21E-5 (2016)**

**COUNTY EXECUTIVE**

WHEREAS, Houses No. 2 & 3 are being reconstructed in similar fashion to Houses 11 & 12. All of these buildings face the front of the facility and shall improve the appearance and function of the facility, as well as correct and preserve the glass structures which were failing; and

WHEREAS, there were several uncovered unforeseen conditions during construction including substantial additional structural repairs that have delayed the completion of construction six months past the original expected date due to delays for change order execution and work added by the Botanical Gardens Society to the construction contracts; and

WHEREAS, project completion delays require additional architectural and engineering consulting services during construction beyond the original scope of work; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement to the firm of Foit Albert Associates for providing additional architectural and engineering consulting services during construction for the Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an Agreement with the A/E firm of Foit Albert Associates for an amount not to exceed \$18,000; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project accounts as follows:

A.14024 – 2014 Buffalo & Erie County Botanical Gardens	
Master Plan Implementation	\$18,000.00
Total Payment Not To Exceed:	\$18,000.00

;and be it further

RESOLVED, that two certified copies of this resolution shall be sent to the Commissioner of the Department of Public Works; and one copy each to the Office of the County Executive; the Director of the Division of Budget and Management, the Department of Parks, Recreation and Forestry and the Office of the Comptroller.

(6-0)

5. COMM. 21E-6 (2016)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature approved construction contracts for the new ADA Elevators on July 28, 2016; and

WHEREAS, the Department of Public Works requested a proposal for air monitoring, sampling and testing during asbestos abatement from Watts Architecture & Engineering.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement with Watts Architecture & Engineering for providing air monitoring, sampling and testing during asbestos abatement for the Buffalo and Erie County Main Library- New ADA Elevators project in an amount not to exceed \$20,000.00, including reimbursables and contingency; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from SAP project account A.21013, BA122, Fund 410 - 2010-Buffalo and Erie County Library-New ADA Compliance Elevator for an amount not to exceed \$20,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Buffalo & Erie County Central Library, Ken Stone, and the Office of the Comptroller.

(6-0)

6. COMM. 21E-7 (2016)

**COUNTY EXECUTIVE**

WHEREAS, the Buffalo and Erie County Central Library auditorium is original to the 60 year old building, and upgrades or replacement to the seating, carpeting, HVAC system, lighting, plumbing, and technology are required. Current funds are available to renovate and rehabilitate the auditorium lobby and improve the environment, update climate controls, and increase energy efficiency of the HVAC system serving the auditorium; and

WHEREAS, the Department of Public Works received bids for the Buffalo and Erie County Main Library – 2016 Auditorium Renovations – Phase 1 project on August 29, 2016; and

WHEREAS, the Erie County Department of Public Works, along with its consultant, LaBella Associates, D.P.C., are recommending award of the contracts to the lowest responsible bidders; and

WHEREAS, LaBella Associates, D.P.C. has the necessary expertise and manpower to provide professional design and construction services for the Buffalo and Erie County Main Library – 2016 Auditorium Renovations – Phase 1 project; and

WHEREAS, the County Executive requests authorization to enter into Agreement Amendments with the firm of LaBella Associates, D.P.C. for providing Professional Architectural/Engineering Services that include construction administration and asbestos abatement air monitoring, sampling, and testing for the Buffalo and Erie County Main Library – 2016 Auditorium Renovations – Phase 1 project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contracts with the lowest responsible bidders for the Buffalo and Erie County Main Library – 2016 Auditorium Renovations – Phase 1 project as follows:

General Construction Work

Miller Enterprises Inc.	Base Bid:	\$367,000.00
	Add Alternate No. 1	\$ 16,700.00
	Add Alternate No. 2	\$ 25,000.00
Total Award of General Construction Contract (F.15002 and F.16002):		\$408,700.00

Electrical Construction Work

Weydman Electric & Communications	Base Bid:	\$ 97,700.00
	Add Alternate No. 1	\$ 830.00
Total Award of Electrical Construction Contract (F.16001):		\$ 98,530.00

Plumbing Construction Work

MLP Plumbing & Mechanical Inc.	Base Bid:	\$ 41,900.00
Total Award of Plumbing Construction Contract (F.16001):		\$ 41,900.00

Mechanical Construction Work

Greater Niagara Mechanical, Inc.	Base Bid:	\$271,600.00
	Add Alternate No. 1	\$ 3,000.00
Total Award of Mechanical Construction Contract (F.15001 and F.16001):		\$274,600.00

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Total Award of all Contracts:	\$823,730.00
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and be it further

RESOLVED, that the sum of \$115,000.00 from SAP project account F.15002 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to execute Agreement Amendments with the firm of LaBella Associates, D.P.C. for providing Professional Architectural/Engineering Services that include construction administration and asbestos abatement air monitoring, sampling, and testing for the Buffalo and Erie County Main Library – 2015 Auditorium Renovations Phase 1 project for an amount not to exceed \$26,000.00, including reimbursables and a design contingency, from SAP project account F.15002; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP project accounts, Fund 490, BA 122, as follows:

F.15001 – 2015 BECPL Mechanical Electrical & Plumbing Improvements	\$242,735.40
F.15002 – 2015 BECPL Central Library Auditorium Rehabilitation	\$539,469.00
F.16001 – 2016 BECPL Mechanical, Electrical And Plumbing Improvements	\$172,294.60
F.16002 – 2016 BECPL Life Safety Improvements	\$ 10,231.00
For a Total Amount Not to Exceed:	\$964,730.00

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office and one copy each to the Office of the County Executive, the Division of Budget and Management, the Buffalo & Erie County Central Library, Kenneth Stone, and the Office of the Comptroller.

(6-0)

7. COMM. 21E-8 (2016)

**COUNTY EXECUTIVE**

WHEREAS, to improve the health and safety of staff and detained youth within the Youth Detention Facility, the Department of Social Services has identified the need to renovate the housing units of the Youth Detention Facility; and

WHEREAS, the NYS Office of Child and Family Services conducts regular site visits to review the physical condition of the facility and, on a repeated basis, has cited the facility for peeling paint and mold in the bathrooms; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement to Zaxis Architectural, PC for providing design, construction documents and construction administration services for the Youth Detention Facility – 2016 Interior Housing Unit Renovations.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement to Zaxis Architectural, PC for providing professional A/E design, construction documents and construction administration services for the Youth Detention Facility – 2016 Interior Housing Unit Renovation, for an amount not to exceed \$38,250.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Account A.16036 – Social Services Renovations, Fund 410, BA 122 for an amount not to exceed \$38,250.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, Department of Social Services and the Office of the Comptroller.  
(6-0)

EDWARD A. RATH, III  
CHAIR

**LEGISLATOR RESOLUTIONS**

Item 28 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 272

RE: Request for Additional NYS Funding for  
the Child Care and Development Block  
Grant  
(INTRO. 22-1)

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS  
DIXON, MILLS, LORIGO, RATH, MORTON, HARDWICK,  
LOUGHRAN, MILLER-WILLIAMS, GRANT, BURKE & SAVAGE

WHEREAS, New York is beginning to implement the provisions of the federal Child Care and Development Block Grant (CCDBG) Act; and

WHEREAS, the CCDBG Act is intended to increase the safety and quality of childcare programs across the State but due to a lack of federal and state funding many other programs are being asked to cut back so that local governments can afford to cover the requirements laid out in the Act; and

WHEREAS, each dollar spent on childcare subsidies creates twice that amount in economic activity and the Act also furthers the goals of protecting child health and safety and increasing the quality of child care programs; and

WHEREAS, the Act and its requirements have not been fully funded by either the State or the Federal governments; and

WHEREAS, one area of concern to local childcare service providers is the statewide mandate that they pay for the fingerprinting of applicants and employees, which is estimated to cost \$28 million statewide, increasing the cost of providing services for childcare; and

WHEREAS, many of these programs caring for our State's youth are operating on razor thin margins as it is an increasing the financial burden of State regulations is forcing many to close, forty two (42) have closed in Erie County during the first three quarters of 2016; and

WHEREAS, Hon. Andrew M. Cuomo has already made a number of important investments to protect children in the form of paid family leave and the funding of statewide Pre- K programs but has left a gaping hole in child care programs that offer services to help out between those initiatives.

NOW, THEREFORE, BE IT

RESOLVED, this honorable body is hereby urging Governor Cuomo to fully fund all the provisions of the Child Care and Development Block Grant Act and to continue his investment in our county's youth; and, be it further

RESOLVED, that certified copies of this resolution are sent to Governor Andrew M. Cuomo's office and any other party deemed necessary and proper.

Item 29 – CHAIR MILLS directed that the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 22-2 from LEGISLATOR LORIGO. Addressing Issues with the NYS Tax Cap Legislation.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 30 – MR. LORIGO moved to discharge the COMMUNITY ENRICHMENT COMMITTEE of further consideration of COMM. 21E-3. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 273

RE: ECC - Authorization to Amend Existing  
Cell Tower Lease Agreement with T-  
Mobile  
(COMM. 21E-3, 2016)

MR. LORIGO moved to amend the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

INSERT THE FOLLOWING:

WHEREAS, The Erie Community College Board of Trustees approved an amendment to an existing lease with T-Mobile; and

WHEREAS, Erie Community College has an existing lease for space on the South Campus cell tower with T-Mobile for their purpose of transmission and reception of communication systems; and

WHEREAS, the existing lease includes the operation of antennae and T-Mobile wishes to replace three of the antennae with technologically improved antennae, and add three additional antennae and remote radio heads and one additional fiber line; and

WHEREAS, the five year lease with five renewal terms of five years commenced September 6, 2006; denial of this request would negatively impact such renewals and the \$37,898 annual revenue stream provided ECC thereunder during this second renewal with 15% increases thereto for future renewals; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves this 3rd Amendment to the T-Mobile South Campus Cell Tower Lease, and be it further

RESOLVED, that the Erie County Executive or his designee is hereby authorized to amend the lease agreement with T-Mobile and be it further

RESOLVED, that certified copies of this resolution be forwarded to the President of Erie Community College, the Chairman of the ECC Board of Trustees and the Erie County Department of Law.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 31 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 21M-6. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 274

RE: 2017 Budget and Supporting Documents  
(COMM. 21M-6, 2016)

WHEREAS, the Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district; and

WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc., designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992,

1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004; 2005, 2006, 2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014; 2015; 2016 and

WHEREAS, the said Local Law required that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges; and

WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2017 annual budget on October 25, 2016; and

WHEREAS, in October 30, 2013 the Board of Directors of Buffalo Place Inc. approved a resolution approving a payment in lieu of service charges for the HSBC Atrium Building and have included the same as part of its proposed 2017 budget.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2017 shall be the sum of \$1,710,000 as contained in the attached budget which shall be a part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district; and be it further

RESOLVED, that the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc., the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by Buffalo Place Inc. of the mall special services set forth in Section 8 of said Local Law; the payment to Buffalo Place Inc. of the proceeds of the mall special district charges, less administrative costs, to be used by Buffalo Place Inc. in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and Chapter 673 of the Laws of 1982; and be it further

RESOLVED, that the Buffalo Place Inc. revenues, in addition to the special charges assessed as above set forth, include for the year 2017, \$18,000 in payment in lieu of service charges for KeyBank Center (1 Seymour H. Knox III Plaza, Buffalo, NY) and \$34,675 for HSBC Atrium Building (95 Washington Street, Buffalo, NY) totaling \$52,675 as set forth in said budget, and be it further

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 17, 2016, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges and payment in lieu of special charges for 2017 in conformance with the formula set forth in Section 7 of Erie County Local Law N. 8-1984 using the latest available final general or special assessment roll prepared by The City of Buffalo; and be it further

RESOLVED, that certified copies of this resolution in its final form be forwarded to the Erie County Executive, the Mayor of the City of Buffalo, the Chairman and the Executive Director of Buffalo Place Inc., and the Erie County Commissioner of Budget and Management.

**BUFFALO PLACE INC.  
BUFFALO PLACE FOUNDATION**

**2017  
BUDGET**

*Proposed Budget  
October 25, 2016*

**SUMMARY OF REVENUES AND EXPENSES**

**REVENUES**

Administration	272,448	
Operations	1,106,179	
Marketing	513,864	
Ranger Escort Program	441,553	
<b>TOTAL REVENUES</b>		<b>2,334,044</b>

**EXPENSES**

Administration	272,448	
Operations	1,106,179	
Marketing	513,864	
Ranger Escort Program	441,553	
<b>TOTAL EXPENSES</b>		<b>2,334,044</b>

**EXCESS OF REVENUE OVER EXPENSE** **0**

**REVENUES**

Special charge assessment @ \$1,710,000	1,710,000	
Payment-in lieu	52,675	
City Contract	175,000	
City contract/Fountain Plaza	26,000	
BCAR grant/Ranger Escort Program	97,369	
Special event revenue	98,000	
Country Market (two days per week)	18,500	
Tree lighting	12,500	
Monthly Rotary Rink Sponsors	2,000	
Rotary Rink concessions	55,000	
Queen City Social	10,000	
Sponsorship		150,000
Operations fees		25,000
<b>TOTAL REVENUE</b>		<b>2,334,044</b>

**ADMINISTRATIVE DEPARTMENT**

**REVENUES**

Special charge revenue (15.93%)	272,448	
<b>TOTAL ADMINISTRATIVE REVENUE</b>		<b>272,448</b>

**EXPENSES**

<i>Operating Expense</i>		
Payroll (salary lines reflect 2016 levels)	369,555	
Payroll tax & benefits	56,724	
Workers' compensation	600	
Telephone	14,000	
Postage/mailing services	2,500	
Insurance	14,900	
Dues & subscriptions	5,000	
Business expense & travel	2,000	
Printing & copying	2,000	
Office supplies/rental of off. equipt.	23,000	
Legal services	7,500	
Payroll services	3,200	
Annual audit/cpa services	15,000	
Miscellaneous	6,000	
Meetings	2,500	
Insurance finance charges	90	
Loan interest	3,000	
Utilities	13,000	
Rent	76,300	
Taxes	9,000	
Special charge	1,200	
County administrative fee	7,800	
Contract services/building	2,500	
	210,490	
<b>Total Operating Expense</b>		<b>637,369</b>
Non-Cash expense: depreciation		30,000
Less Administrative allocation		(394,921)
<b>NET ADMINISTRATIVE EXPENSE</b>		<b>272,448</b>

**OPERATIONS DEPARTMENT**

<b>REVENUES</b>		
Special charge revenue (48.39%)	827,504	
Payment-in-lieu/HSBC Arena	52,675	
City Contract	175,000	
City contract/Fountain Plaza	26,000	
Operations fees	25,000	
<b>TOTAL OPERATIONS REVENUE</b>		<b>1,106,179</b>

<b>EXPENSES</b>		
<i>Operating Expense</i>		
Payroll (salary lines reflect 2016 levels)	522,799	
Payroll tax & benefits	93,079	
Workers' compensation	33,000	
Uniforms	7,500	
Maintenance supplies	13,000	
Maintenance contracts	1,000	
Insurance	108,142	
Miscellaneous	1,500	
Sand/salt	15,000	
Small tools	1,500	
Vehicle Expenses	27,500	
Small equipment parts & supplies	1,750	
Small equipment maintenance & repair	1,050	
Shop supplies	3,500	
Equipment rental	11,000	
Holiday lights and Decorations	5,500	
Warehouse rental	18,000	
Mall Expenses	11,158	
Landscaping/tree replacement	16,000	
Banners/Signage/Flags	3,000	
Fountain Plaza operations	26,000	
Administrative allocation	185,201	
	457,301	
<b>TOTAL OPERATIONS EXPENSE</b>		<b>1,106,179</b>

**MARKETING DEPARTMENT**

<b>REVENUE</b>		
Special Charge (15.55%)	265,864	
Special event revenue	98,000	
Country Market (2 days per week)	18,500	
Tree lighting sponsorship	12,500	
Monthly Rotary Rink Sponsors	2,000	
Rotary Rink concessions	55,000	
Queen City Social	10,000	
Marketing Sponsorships	150,000	
<b>TOTAL MARKETING REVENUE</b>		<b>513,864</b>

<b>EXPENSE</b>		
Payroll (salary lines reflect 2016 levels)	76,792	
Payroll tax & benefits	20,875	
Workers' compensation	250	
Business expense & travel	1,000	
Special Events:	196,000	
Country Market (two days per week)	16,000	
Tree lighting	10,000	
Queen City Social	80,000	
Rotary Rink Mkt Expenses	30,000	
Buffalo Ball Drop	60,000	

Insurance		36,000	
Promotions:		5,000	
Holiday decorations	5,000		
Communications:		16,000	
Website Maintenance	2,000		
Small Bus. Saturday/Retail/Media/Publication:	14,000		
Business retention		753	
Administrative allocation		161,194	
<b>TOTAL MARKETING EXPENSE</b>			<b>513,864</b>

**SECURITY/RANGER ESCORT PROGRAM**

<b>REVENUE</b>			
Special Charge (20.13%)		344,184	
BCAR grant/Ranger Escort Program		97,369	
<b>TOTAL RANGER ESCORT PROGRAM REVENUE</b>			<b>441,553</b>

<b>EXPENSE</b>			
Payroll (salary line reflects 2016)		288,164	
Payroll tax & benefits		71,754	
Workers' compensation		5,000	
Insurance		10,200	
Uniforms		7,683	
Auto gas & lube		4,800	
New Radios		1,776	
Security Guard Licenses & Employment Testing		1,650	
Equipment maintenance & repair		2,000	
Administrative allocation		48,526	
<b>TOTAL RANGER ESCORT PROGRAM EXPENSE</b>			<b>441,553</b>

**PROPOSED CAPITAL EXPENDITURES 2017**

<i>ADMINISTRATION</i>			
Office equipment and computers			
Office furniture		500	
<i>OPERATIONS</i>			
Equipment		5,000	
Street furniture		0	
Major vehicle repair contingency	5,000		
Vehicle trade-in/replacement		65,000	
Pick-Up & Plow	35,000		
Bobcat	30,000		
<b>TOTAL CAPITAL EXPENDITURES</b>			<b>70,500</b>

MR. LORIGO moved to approve the item. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 32 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 22E-14 from the COUNTY EXECUTIVE. Re: Agreement with Various Local Municipalities for Snow and Ice Control on County Roads

RESOLUTION NO. 275

WHEREAS, the County has contracted with local towns in Erie County for many years to provide ice and snow control on County owned roads and facilities during the snow season; and

WHEREAS, the last such contract, a three year agreement, expired August 31, 2016; and

WHEREAS, it would be in the best interests of Erie County to execute an agreement at a lane mile reimbursement rate increasing three (3) percent each year for a three (3) year period ending August 31, 2019, and representatives of the affected municipalities have agreed to terms with the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to sign and execute the new Snow and Ice Control Agreements, as modified and updated, at a lane mile reimbursement rate increasing three (3) percent each year for a three (3) year period, to expire August 31, 2019, with the annual payments to contracted entities to derive from the Division of Highways, Operating Budget, Fund 210, Cost Center 1231010, G/L 520060 Town and Village Snow Contracts, as set forth below:

September 1, 2016 through August 31, 2017	\$3,818.99 per lane mile
September 1, 2017 through August 31, 2018	\$3,933.56 per lane mile
September 1, 2018 through August 31, 2019	\$4,051.57 per lane mile

;and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to transmit four (4) certified copies of the foregoing resolution to the Commissioner of Public Works, one (1) certified copy each to the Office of the County Executive, the Division of Budget and Management, the County Attorney and the Office of the Comptroller.

MR. LORIGO moved to approve the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR SAVAGE**

Item 33 – (COMM. 22E-1) Letter of Absence from Legislative Session

Received, filed and printed.

November 4, 2016  
Karen McCarthy, Clerk  
Erie County Legislature  
92 Franklin St.  
Buffalo, NY 14202

Dear Ms. McCarthy:

Please be advised that due to a previously scheduled out of town commitment, I will need to be excused from the November 17, 2016 session of the Erie County Legislature.

Thank you.

PETER J. SAVAGE III  
Peter J. Savage, III  
Erie County Legislator - 3rd District

FROM CHAIR MILLS

Item 34 – (COMM. 22E-2) 2017 Schedule of Legislative Sessions

Received, filed and printed.

To: Karen M. McCarthy, Clerk  
From: John J. Mills, Chair  
Date: November 14, 2016

2017 SCHEDULE OF LEGISLATIVE SESSIONS

JANUARY	JULY
5	13
26	27
FEBRUARY	AUGUST
9	Recess
23	
MARCH	SEPTEMBER
9	7
23	21
APRIL	OCTOBER
6	5
27	19
MAY	NOVEMBER

11  
25

2  
16

JUNE  
8  
22

DECEMBER  
5 Annual Budget Vote  
7  
12 Budget Override Meeting  
21

All Regular Sessions listed begin at 2:00 pm in the Legislature Chambers  
Majority Caucus Meetings held on the day of Session begin at 9:30 am in the Caucus Room  
All Meetings are open to the public

Item 35 – (COMM. 22E-3) 2017 Legislature Invocation and Pledge of Allegiance Schedule

Received, filed and printed.

To: Karen M. McCarthy, Clerk  
From: John J. Mills, Chairman  
Date: November 14, 2016

2017 LEGISLATURE INVOCATION AND PLEDGE OF ALLEGIANCE SCHEDULE

JANUARY

5 Dixon and Hardwick  
26 Savage and Grant

JULY

13 Miller-Williams and Grant  
27 Savage and Burke

FEBRUARY

9 Miller-Williams and Burke  
23 Loughran and Morton

AUGUST

Recess

MARCH

9 Mills and Lorigo  
23 Grant and Dixon

SEPTEMBER

7 Loughran and Rath  
21 Mills and Lorigo

APRIL

6 Morton and Savage  
27 Burke and Rath

OCTOBER

5 Hardwick and Dixon  
19 Grant and Savage

MAY

11 Hardwick and Miller-Williams  
25 Lorigo and Loughran

NOVEMBER

2 Rath and Miller-Williams  
16 Burke and Hardwick

JUNE

8 Dixon and Mills  
22 Rath and Morton

DECEMBER

5\* *Annual Budget Vote*  
7 Lorigo and Loughran  
12\* *Budget Override Meeting (if necessary)*  
21 Morton and Mills

FROM THE COUNTY EXECUTIVE

Item 36 – (COMM. 22E-4) EC Sewer District Nos. 1-6 & 8 - Engineering Term Agreements

Item 37 – (COMM. 22E-5) EC Sewer District Nos. 1-6 & 8 - Construction Inspection Term Agreements

Item 38 – (COMM. 22E-6) EC Sewer District No. 3 - Contract No. 54 STP-A - Change Order No. 2

Item 39 – (COMM. 22E-7) EC Sewer District No. 3 - Contract No. 54 STP-D - Change Order No. 1

Item 40 – (COMM. 22E-8) EC Sewer District No. 3 - Southtowns Advanced Wastewater Treatment Facility - Authorization to Accept Ferrous Chloride

Item 41 – (COMM. 22E-9) EC Sewer District No. 4 - Increase & Improvement of Facilities 2016

Item 42 – (COMM. 22E-10) EC Sewer District No. 6 - Increase & Improvement of Facilities 2016

The above seven items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 43 – (COMM. 22E-11) Surplus County Owned Properties Sold at Public Auction Oct. 13, 2016

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 44 – (COMM. 22E-12) Comments on Proposed Erie County 2017 Budget

Item 45 – (COMM. 22E-13) Report on Erie County's Real Property Tax Cap for Period 2015-2017

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 46 – (COMM. 22D-1) NYS DEC Documents Received

Received and filed.

Item 47 – (COMM. 22D-2) Comments Received Regarding EC Sewer Districts - 2016 Assessment Rolls (2017 Levy)

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE DEPARTMENT OF BUDGET & MANAGEMENT

Item 48 – (COMM. 22D-3) Budget Monitoring Report for Period Ending Sept. 2016

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 49 – (COMM. 22D-4) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 50 – (COMM. 22M-1) Report Regarding Proposed 2017 Budget

Item 51 – (COMM. 22M-2) Nov. 17, 2016 Board of Trustees Agenda

The above two items were received and filed.

FROM THE BUFFALO & EC NAVAL & MILITARY PARK

Item 52 – (COMM. 22M-3) Board of Directors Meeting Minutes

Received and filed.

FROM THE BUFFALO NIAGARA CONVENTION CENTER

Item 53 – (COMM. 22M-4) Financial Statements for Period Sept. 30, 2016 & 2015

Received and filed.

FROM THE EC BAR ASSOCIATION

Item 54 – (COMM. 22M-5) Assigned Counsel Program - Quarterly Report for 3rd Quarter  
2016

Received and filed.

FROM THE EC INDUSTRIAL DEVELOPMENT AGENCY

Item 55 – (COMM. 22M-6) 2017 Budgets for ECIDA, EC Regional Development Corp, EC Industrial Land Development Corp

Received and filed.

FROM THE NFTA

Item 56 – (COMM. 22M-7) Annual 17A Report & Capital Expenditure Reports

Received and filed.

FROM THE EC MEDICAL CENTER CORPORATION

Item 57 – (COMM. 22M-8) Follow-Up Information Regarding Capital Borrowing & IGT Payment

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM COMMERCIAL REAL ESTATE SERVICES

Item 58 – (COMM. 22M-9) Letter Regarding Leasing Space for Social Services Offices

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ELLICOTT DEVELOPMENT

Item 59 – (COMM. 22M-10) Information Regarding Leasing Space for Social Services Offices

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

ANNOUNCEMENTS

Item 60 – CHAIR MILLS announced a public hearing is scheduled for November 21, 2016, 6:00 p.m. at the legislature chambers, regarding the proposed 2017 Erie County budget.

Item 61 – CHAIR MILLS announced a meeting is scheduled for December 1, 2016, 11:00 a.m., of the Finance & Management/Budget Committee.

Item 62 – CHAIR MILLS announced the next legislative session is scheduled for December 1, 2016, 2:00 p.m.

Item 63 – CHAIR MILLS announced the Erie County Legislature annual budget vote is scheduled for December 6, 2016, 2:00 p.m.

**MEMORIAL RESOLUTIONS**

Item 64 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Marian Frances Farrell, Tracie L. Reid and Elizabeth L. “Betsy” Whistler.

Item 65 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Laura M. Dudley and Edward Anthony Stephens.

**ADJOURNMENT**

Item 66 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, December 1, 2016 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, December 1, 2016 at 2:00 p.m. Eastern Standard Time.

**KAREN M. McCARTHY**  
**CLERK OF THE LEGISLATURE**